Dear Mrs. Sharon E. Payne,

I feel it necessary to note that at first, I was discouraged when I saw Ladyjensky column 4, lines 19-26. Upon studying his claim however, I can confidently assure you that we have disclosed 2 seperate inventions.

My invention is primarily a re-useable device, capable of mixing some measured amount of the chemicals held within my product, saving some to be used in a second or third reaction which may take place after the expiration of the previous reaction. This is what is meant by the term "graduated" as used in claim 7(c) of my disclosure. Ladyjensky uses the term "gradually" in reference to a slowing of the mixing of the reactants in his product, allowing for a lengthened reaction. I belive that this is best made clear at the end of column 4, lines 19-26, when he says that the "standardization of the rate of light emission with time... can be controlled by acting on the

calibration (in this case - to adjust the size of) of the opening... and also by acting on the viscosity of the liquid. This brings up another very important point. My lawyer said in his remarks which he recently remitted along with the amendment that "Independent claim 7 discloses a device which allows the user to control the emission of light, based upon user need, versus the external pressure relied upon by Ladyjensky." The end of this statement is incorrect and unfortunately is very misleading. It should have read that the device disclosed allows for the user to control any "gradual" mixing (the rate and amount mixed), as opposed to leaving it up to the manufacturer to control the rate of mixing. The manufacturer controls this by adjusting the size of the opening, or by changing the viscosity of the liquid. Additionally, the user has no control over the amount mixed, Ladyjensky's product only provides for

a complete mix of reactants. Ladyjensky column 2, lines 20-24 declare that the membrane is designed to yield, and that the plug is designed to move out of position, there is no mention of resealing the opening. In addition, in regards to the disk that is designed to swivel, there is no mention of the disk swiveling back into position, and although the opening can be made larger (maybe) by applying more pressure, it is not claimed that, and it can not be made smaller by releasing pressure (If you think about it, once there is an opening, the pressure in the 2 chambers would equalize, and there would be no pressure to swivel disk back into position, also, nowhere in his patent is there a claim to or mention of a shape of the plastic which would cause the disk to swivel back into its original position, if at all). My product, therefore, is also unique in that it allows for a more controlled introduction of reactants, whereas the user can control the rate

of introduction of reactants entirely

Ladyjensky's disclosure describes a limitation of the rate at which the reactants can be mixed, imposed by the manufacturer by reducing the size of the opening between the chambers, or by adjusting the viscosity of the reactants. It does allow for the user to speed the rate of mixture up to the point allowed by the manufacturer's limitors, but it fails to allow for user-controlled reduction of the rate of mixture, or to allow for rates of mixture which are higher than the rate allowed by the manufacturer's limitors, while my design does. Furthermore, and most importantly, nowhere does Ladyjensky mention a partial mixing of reactants, or ability to re-use his product, he only mentions a slowed introduction of reactants

The term "graduated" in my

claim can be defined as partial, while the term "gradual" in Ladyjensky's claim can be defined as slowed. Ladyjensky intended to retain claim to a product which slowed the introduction of the reactants, allowing for a longer reaction as a secondary function. My claim is primarily to a product which saves unused chemicals so that they can be used in seperate reactions, making my product re-useable, and unquestionably unique and independant from Ladyjensky's claim. As disclosed in my application, claim 7(L) reads "A means in which to allow for a controlled graduated introduction of one of the chemicals from one chamber to the other, giving the user means to stop the graduated introduction, and to further re-introduce chemical reactants causing additional reaction after expiration of previous reactions." Hopefully, this correspondance has helped to make clear the differences between my product and Ladyjensky's, as well as reduced the ambiguity set forth

by the similar terms "graduated", and "gradually". If you feel that the wording of my claim does not properly embody the description of the function I am retaining claim to, please contact my attorney, Brian Redding, at (317) 573-0000 with any suggestions that you may have. Thank You Very Much for your time.

Benjamin H. Steinberg, Inventor